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EXAMINER
LIVERSEDGE, JENNIFER L

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3684	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/940,450	EDER, JEFF S.
	Examiner	Art Unit	
	JENNIFER LIVERSEDGE	3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
> WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 May 2010</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>34-52,62-64,68-70,90,91 and 134-167</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>34-52,62-64,68-70,90,91 and 134-167</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/26/2010</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of application 09/940,450 filed May 26, 2010 following an Appeal Brief and an Examiner's Answer.

The amendment contains previously presented claims: 143, 154 and 167.

The amendment contains amended claims: 34-52, 62-64, 68-70, 90-91, 134-142, 144-153 and 155-166.

Claims 1-33, 53-61, 65-67, 71-89 and 92-133 have been canceled.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 26, 2010 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 34, 44, 62, 135, 136, 141, 145, 150, 155, 159, 164 are rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

The claim(s) contains subject matter which was not described in the specification in

such a way as to reasonably convey to one skilled in the relevant art that the

inventor(s), at the time the application was filed, had possession of the claimed

invention. The claims recite new matter with respect to "an integrated database" and

with respect to the limitation "output said database". Neither of the terms are found

within the specification and therefore are improper to use within the claim limitations.

Each claim limitation needs to be supported by a particular section in the specification in

order to comply with the written description requirement.

Claims 34, 44, 135, 141, 159, 164 are rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the written description requirement. The claim(s)

contains subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. The claim recites new

matter with respect to "a physical object" and "a physical object or substance". The

term(s) are not found within the specification and therefore is improper to use within the

claim limitations. Each claim limitation needs to be supported by a particular section in

the specification in order to comply with the written description requirement.

Claim 136, 145, 155 are rejected under 35 U.S.C. 112, first paragraph, as failing

to comply with the written description requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. The claim recites new matter with respect to

"schema defined categories". The term is not found within the specification and

therefore is improper to use within the claim limitations. Each claim limitation needs to

be supported by a particular section in the specification in order to comply with the

written description requirement.

Claims 37, 143 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. The claim recites new matter with respect to

"schema is statistically valid". The term is not found within the specification and

therefore is improper to use within the claim limitations. Each claim limitation needs to

be supported by a particular section in the specification in order to comply with the

written description requirement.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 34-51, 62-64, 68-70, 90-91, 134, 135-167 are rejected under 35

U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and

distinctly claim the subject matter which applicant regards as the invention.

Claims 34, 44, 135, 145, 150, 155, 159 recite "a common schema as required to transform". It is unclear what is required by this step. By stating that a method is carried out based on some fact patterns or situations, etc. as required renders the claim vague and indefinite. What is required? Also, the fact that the step may or may not be required renders the claim indefinite.

Claims 34, 44, 135, 141, 145, 150, 155, 159, 164 also recite "output said database". It is unclear as to what the outputting of a database really means. Based on the 112 first paragraph rejection for failing to comply with the written description requirement, examiner is uncertain as to how the method step of outputting the database would be performed. For purposes of examination, examiner will assume that it is intended to output data from the database.

Claims 35, 45, 135, 159, 164 are drawn to "where the physical object comprises an organization". It is unclear how an organization is a physical object. An organization is an abstract idea, as opposed to a machine, building or other structural element. For purposes of examination, examiner will interpret the limitations as the data that is representative of an organization.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 34-39, 42-47, 50-52, 135-138, 141-143, 145, 149 are rejected under 35

U.S.C. 102(e) as being anticipated by US Patent 7,249,328 B1 to Davis (further referred

to as Davis).

Regarding claim 34, Davis discloses a computer readable medium having

sequences of instructions tangibly stored therein, which when executed cause a

processor in a computer to perform a plurality of data preparation steps, comprising:

Integrating data from a plurality of systems (column 8, lines 29-34; column 10,

lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28,

lines 31-34; column 38, lines 50-53)

using xml metadata standard and a common schema (column 4, lines 17-32;

column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and lines 52-

55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and lines 45-

50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-

54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 26,

lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50;

column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37, lines

5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

to transform said data into an integrated database and output said [database –

data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13, lines 18-40;

column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67; column 49,

lines 20-28)

where said data is representative of a [physical object – organization per 112]

(column 11, lines 52-55; column 23, lines 62-67; column 45, lines 35-50; column 46,

lines 30-33; column 49, lines 32-37).

Regarding claim 44, Davis discloses a computer implemented data preparation

method, comprising:

Using a computer to complete the steps of: integrating data representative of a

[physical object or substance – organization per 112] from a plurality of systems

(column 8, lines 29-34; column 10, lines 25-26; column 11, lines 24-27; column 12, lines

26-29 and lines 53-56; column 28, lines 31-34; column 38, lines 50-53)

using an xml metadata standard and a common schema (column 4, lines 17-32;

column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and lines 52-

55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and lines 45-

50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-

54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 26,

lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50;

column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37, lines

5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

to transform said data into an integrated database that stores data in accordance

with said schema and output said [database – data per 112] (column 11, lines 15-64;

column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16,

lines 11-15; column 26, lines 47-67; column 49, lines 20-28).

Regarding claim 52, Davis discloses a computer readable medium having

sequences of instructions tangibly stored therein, which when executed cause the

processors in a plurality of computers connected via a network (column 12, lines 57-66)

to perform the steps of claim 44 (see rejection for claim 44).

Regarding claim 135, Davis discloses a data preparation system, comprising:

A computer with a processor having circuitry to execute instructions;

A storage device available to said processor with sequences of instructions

stored therein, which when executed cause the processor to:

Integrate a plurality of data representative of an organization that

physically exists from a plurality of organization related systems and an Internet (column

8, lines 29-46; column 9, lines 59-67; column 10, lines 25-26 and lines 38-45; column

11, lines 24-27 and 53-62; column 12, lines 26-29 and lines 53-56; column 28, lines 31-

39; column 38, lines 50-53)

Using an xml metadata standard and a common schema (column 4, lines

17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and

lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and

lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18,

lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59;

column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines

42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37,

lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49), and

            to transform said data into an integrated database that stores data in

accordance with said schema and output said [database – data per 112] (column 11,

lines 15-64; column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42;

column 16, lines 11-15; column 26, lines 47-67; column 49, lines 20-28).

        Regarding claim 141, Davis discloses a program storage device readable by a

machine, tangible embodying a program of instructions executable by the machine to

perform the steps in data management, comprising:

        Using a metadata mapping (column 4, lines 17-32; column 10, lines 19-30;

column 13, lines 37-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 –

column 18, line 9; column 18, lines 48-64; column 19, lines 3-13; column 20, lines 32-

38; column 21, lines 56-59; column 31, lines 5-7; column 33, lines 44-47; column 38,

lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

        To integrate a plurality of data representative of a [physical object or substance –

organization per 112] from a plurality of systems (column 8, lines 29-34; column 10,

lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28,

lines 31-34; column 38, lines 50-53)

        In accordance with an xml metadata standard and a common schema (column 4,

lines 17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33

and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40

and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column

18, lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59;

column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines

42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37,

lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

　　　　to transform said data into an integrated database that stores data in accordance

with said schema and output said [database – data per 112] (column 11, lines 15-64;

column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16,

lines 11-15; column 26, lines 47-67; column 49, lines 20-28)

　　　　Where the metadata mapping is stored in a metadata mapping table (column 10,

lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67;

column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines

51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

　　　　Regarding claim 145, Davis discloses a data method, comprising:

　　　　Using a computer to complete the steps of using a metadata mapping (column 4,

lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15,

lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19,

lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column

33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To integrate a plurality of data representative of an enterprise from a plurality of
enterprise related systems (column 8, lines 29-34; column 10, lines 25-26; column 11,
lines 24-27; column 12, lines 26-29 and lines 53-56; column 28, lines 31-34; column 38,
lines 50-53)

In accordance with an xml metadata standard and a common schema (column 4,
lines 17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33
and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40
and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column
18, lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59;
column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines
42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37,
lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

to transform said data into an integrated database that stores data using one or
more schema defined categories in accordance with said schema and output said
[database – data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13,
lines 18-40; column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67;
column 49, lines 20-28)

Where the metadata mapping is stored in a metadata mapping table (column 10,
lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67;
column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines
51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

Regarding claim 35, Davis discloses wherein the physical object comprises an

organization and the common schema includes an organization designation (column 8,

lines 37-40; column 10, lines 25-30; column 11, lines 52-62; column 33, lines 31-47;

column 46, lines 27-33).

Regarding claim 37, Davis discloses wherein the common schema is statistically

valid and includes a data structure (column 8, lines 28-54; column 10, lines 19-53;

column 11, lines 24-62; column 12, lines 26-56; column 15, lines 60-67; column 33,

lines 31-47; column 46, lines 27-33).

Regarding claim 38, Davis discloses wherein the data structure is a hierarchy

(column 21, lines 46-59; column 29, lines 31-56; column 30, lines 51-57; column 31,

lines 5-7).

Regarding claims 39 and 47, Davis discloses wherein the common schema

includes a data dictionary (column 15, lines 60-67; column 21, lines 46-59; column 30,

lines 51-57; column 31, lines 5-7; column 33, lines 44-47).

Regarding claim 45, Davis discloses wherein the physical object or substance

comprises an organization and the common schema includes an organization

designation and data structure (column 8, lines 28-54; column 10, lines 19-53; column

11, lines 24-62; column 12, lines 26-56; column 15, lines 60-67; column 33, lines 31-47;

column 46, lines 27-33).

Regarding claim 137, Davis discloses wherein the common schema comprises

one or more attributes selected from the group consisting of organization designation,

data structure, metadata standard, data dictionary and combinations thereof (column 8,

lines 37-46 and lines 52-57; column 10, lines 25-33 and lines 52-55; column 11, lines

24-66; column 12, lines 45-56; column 13, lines 34-37; column 15, lines 60-67; column

18, lines 48-54; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34;

column 30, lines 42-60;column 33, lines 15-47; column 37, lines 5-8; column 38, lines

48-56; column 46, lines 27-33).

Regarding claims 36, 46 and 138, Davis discloses wherein the designated

organization is a single product, a group of products, a division, a company, a multi-

company corporation or a value chain (column 8, lines 37-40; column 10, lines 25-30;

column 11, lines 52-62; column 33, lines 31-47; column 46, lines 27-33).

Regarding claims 42 and 50, Davis discloses wherein at least a portion of the

data are from an Internet or one or more external database (column 8, lines 24-34;

column 11, lines 24-27; column 12, lines 26-31).

Regarding claim 43, Davis discloses wherein the data preparation method further comprises converting data to match the common schema and storing the converted data in a central database (column 11, lines 15-67; column 12, lines 26-56column 27, lines 1-6).

Regarding claim 51, Davis discloses wherein the data preparation method further comprises converting and storing data in accordance with the common schema (column 11, lines 15-67; column 12, lines 26-56; column 27, lines 1-6).

Regarding claim 143, Davis discloses wherein the schema is statistically valid (column 8, lines 28-54; column 10, lines 19-53; column 11, lines 24-62; column 12, lines 26-56; column 15, lines 60-67; column 33, lines 31-47; column 46, lines 27-33).

Regarding claim 136, Davis discloses using a metadata mapping to convert and store data in accordance with a common schema using one or more schema defined categories (column 4, lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column 33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49).

Regarding claims 142, Davis discloses wherein at least some of the data are pre-specified for integration (column 10, lines 25-30; column 12, lines 26-56; column 15, lines 60-67; column 21, lines 46-59).

Regarding claim 149, Davis discloses wherein the data method further comprises storing a plurality of converted data in one or more tables to support an organization processing (column 11, lines 15-67; column 12, lines 26-56; column 27, lines 1-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 62-63, 68, 70, 90, 134 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, in view of "How to sort out the premium drivers of post-deal value) by Daniel Bielinksi (further referred to as Bielinski), in view of US Patent

6,018,722 to Ray et al. (further referred to as Ray), and further in view of "The 1986-88

Stock Market: Investor Sentiment or Fundamentals?" by Bauer et al. (further referred to

as Bauer).

Regarding claim 62, Davis discloses a computer readable medium having

sequences of instructions tangibly stored therein, which when executed cause one or

more processors in a plurality of computers that have been connected via a network to

perform organization management steps, comprising:

Transforming data representative of an organization (column 8, lines 29-34;

column 10, lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56;

column 28, lines 31-34; column 38, lines 50-53)

From a plurality of systems (column 8, lines 29-34; column 10, lines 25-26;

column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28, lines 31-34;

column 38, lines 50-53)

Into an integrated database that stores data (column 11, lines 15-64; column 12,

lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16, lines 11-15;

column 26, lines 47-67; column 49, lines 20-28)

In accordance with an xml metadata standard and a common schema (column 8,

lines 40-46 and lines 52-57; column 10, lines 31-33 and lines 52-55; column 11, lines

24-66; column 12, lines 45-56; column 13, lines 34-37; column 15, lines 60-67; column

18, lines 48-54; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34;

column 30, lines 42-50; column 30, lines 51-60; column 33, lines 15-47; column 37,

lines 5-8; column 38, lines 48-56), and

Using at least a portion of said data to create and output one or more tools for

organization management (column 8, lines 29-34 and lines 40-51; column 9, lines 1-6;

column 10, lines 19-30; column 12, lines 15-17; column 13, lines 19-23; column 25,

lines 53-60; column 26, lines 47-67; column 28, lines 31-40; column 36, lines 59-67;

column 37, lines 5-12; column 38, lines 48-65),

Where the one or more tools for organization management further comprise one

or more tools selected from the group consisting of analytical models, category of value

models, component of value models, market value models, network models,

management reports, and combinations thereof (column 8, lines 36-46; column 10, lines

38-53; column 11, lines 52-55; column 28, lines 31-39; column 33, lines 15-47; column

36, lines 59-67; column 38, lines 48-65; column 44, lines 22-34; column 45, lines 1-63;

column 46, lines 27-38).

Davis does not disclose where tools are selected from the group consisting of

optimization models, simulation models, value chains models, lists of changes that will

optimize one or more aspects of organization financial performance. However, Bielinski

discloses where the tools are selected from the group consisting of optimization models,

simulation models, value chains models, lists of changes that will optimize one or more

aspects of organization financial performance (page 1, paragraphs 1 and 2; page 2,

paragraphs 1, 6 and 8; page 3, paragraphs 1 and 2; page 4, paragraphs 1, 8 and 10;

page 5, paragraphs 1-4).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of tools such as analytical models, management summary reports, etc. as disclosed by Davis to adapt the use of tools such as optimization models and lists of changes optimizing organization financial performance, etc. as disclosed by Bielinski. The motivation would be that all of the tools described by Davis and Bielinski are useful for making evaluations of companies and when financial data is received from multiple external sources as disclosed by Davis, it would be obvious to use the data in order to provide meaningful statistics and data for reviewers and decision makers. Further, it is noted that the claim is set forth as a Markush claim and as such each of the items within the set are admittedly within a group known in the art. Therefore, it would further be obvious to provide evaluation tools as are known to be part of a group in the art.

Neither Davis nor Bielinski disclose where one or more of the tools comprise a system for automated trading of organization equity based on a calculated market sentiment. However, Ray discloses a system for automated trading of organization equity (at least abstract). It would be obvious to one of ordinary skill in the art to modify the use of Internets and Intranets for interacting and evaluating financial data as disclosed by the combination of Davis and Bielinski to incorporate a system for automated trading of equity as disclosed by Ray. The motivation would be that Davis and Bielinksi provide for a fully interactive system and method using the Internet and wherein a user uses financial data from a plurality of sources in order to use charts, graphs, spreadsheets, etc. in order to view, manipulate, compare and manage the financial data such that evaluations and conclusions can be drawn regarding the data

and providing an automated trading tool enables a user to do something with the results

of their analysis without going to a trading website to perform a trade. It would therefore

be obvious to provide a system for automated trading as disclosed by Ray based the

collection of data and based on a financial evaluation as is performed by the system

and method of Davis and Bielinski.

Further, Ray discloses a trading system where stock price is based on the

public's perception and sentiment towards the company as reflected in the stock price

(at least abstract; column 2, lines 19-48; column 3, lines 19-22) but does not specifically

disclose a calculated market sentiment value. However, Bauer discloses a calculated

market sentiment value (abstract; page 2, "Stock prices and investor sentiment"; page

3, formula 3). It would be obvious to one of ordinary skill in the art at the time of the

invention to modify the system of integrating organization data for outputting calculated

results from the data, and the valuation modeling techniques with automated trading of

securities as disclosed by the combination of Davis, Bielinski and Ray, to adapt the use

of sentiment as a value driver and to calculate stock price using sentiment as disclosed

by Bauer. The motivation would be that stock price is calculated based on company

value and a company value is derived from real and intangible assets of value and for

most accurate pricing, one would want to incorporate all assets, real and intangible.

Regarding claim 63, Davis discloses wherein the one or more tools are made

available for review using an electronic display, a paper document or combinations

thereof (column 4, lines 33-45).

Regarding claim 68, Davis discloses wherein the common schema defines one
or more common attributes selected from the group consisting of data structure,
organization designation, data dictionary and combinations thereof (column 8, lines 28-
54; column 10, lines 19-53; column 11, lines 24-62; column 12, lines 26-56; column 15,
lines 60-67; column 21, lines 46-59; column 30, lines 51-57; column 31, lines 5-7;
column 33, lines 31-47; column 46, lines 27-33).

Regarding claim 70, Davis discloses wherein the data structure is a hierarchy
(column 21, lines 46-59; column 29, lines 31-56; column 30, lines 51-57; column 31,
lines 5-7).

Regarding claim 90, Davis discloses wherein the one or more aspects of the
organization financial performance are selected from the group consisting of
organization revenue, organization expense organizational capital change and
combinations thereof (column 8, lines 36-46; column 9, lines 59-65; column 10, lines 38-
53; column 11, lines 53-62; column 13, lines 20-30; column 28, lines 36-39; column 32,
lines 27-67; column 33, lines 15-47; column 39, line 61 – column 40, line 50; column 45,
lines 1-14; column 45, lines 35-50).

Davis does not disclose where financial performance is selected from the group
consisting of organization current operation value, organization real option value,
organization market sentiment value and organization market value. However, Bielinksi

discloses where financial performance is selected from the group consisting of organization current operation value, organization real option value and organization market value (page 1, paragraphs 1-2; page 2, paragraphs 1 and 8; page 3, paragraphs 1 and 2; page 4, paragraphs 5, 8 and 10).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of tools such as performance aspects as revenue and expenses as disclosed by Davis to adapt the use performance aspects such as real option value and market value, etc. as disclosed by Bielinski. The motivation would be that all of the tools described by Davis and Bielinski are useful for making evaluations of companies and when financial data is received from multiple external sources as disclosed by Davis, it would be obvious to use the data in order to provide meaningful statistics and data for reviewers and decision makers. Further, it is noted that the claim is set forth as a Markush claim and as such each of the items within the set are admittedly within a group known in the art. Therefore, it would further be obvious to provide evaluation tools as are known to be part of a group in the art.

Neither Davis nor Bielinski specifically disclose market sentiment. However, Ray discloses a trading system where stock price is based on the public's perception and sentiment towards the company as reflected in the stock price (at least abstract; column 2, lines 19-48; column 3, lines 19-22). It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of performance aspects including Revenue, expenses, real options value as disclosed by Davis and Bielinski to adapt the performance aspect of market sentiment as disclosed by Ray. The motivation would be

that each of the mentioned indicators are used for measuring, comparing, and

evaluating a company's financial performance.

Regarding claim 134, Davis discloses the use of a relative importance of one or

more elements of value, one or more categories of value and one or more enterprises in

determining the organization financial performance as required to support the

development of the one or more tools for organization management (column 20, lines

32-38; column 21, lines 46-59; column 24, lines 15-24; column 25, lines 53-63; column

26, lines 47-67; column 27, lines 1-5; column 28, lines 31-42; column 29, lines 39-56;

column 30, lines 51-60; column 31, lines 5-7 and lines 26-51).

Neither Davis nor Bielinski disclose where this is learned. However, Ray

discloses where this is learned (column 8, lines 23-38). It would be obvious to one of

ordinary skill in the art to modify the retrieving, gathering, and calculations with values of

financial performance with relative importance as disclosed by the combination of Davis

and Bielinksi to adapt the learning of the importance as disclosed by Ray. The

motivation would be that Davis and Bielinski provide for the measurement and

determination of financial performance using financial data and using such techniques

as metadata and simulation for making such an evaluation. Providing a neural network

enhances the ability of the system to learn and think as a human would think in terms of

the data, and the interpretations made thereof.

Claims 40-41, 48-49, 139-140, 146, 150-151 and 154 are rejected under 35

U.S.C. 103(a) as being unpatentable over Davis in view of Official Notice.

Regarding claims 40, 48 and 139, Davis discloses wherein the data dictionary

defines one or more standard data attributes selected from the group consisting of

components of value, currencies, elements of value, units of measure and time periods

(column 8, lines 30-51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines

46-49; column 20, lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines

34-67).

Davis does not disclose where the data dictionary defines data attributes for

account numbers. However, Examiner takes Official Notice that it is old and well known

that account numbers are one way of identifying an account and that accounts and

account numbers are used in database management and as a way of storing and

organizing data and it would be obvious therefore to include account numbers in the

data dictionary. Further, it is noted that the claim is set forth as a Markush claim and as

such each of the items within the set are admittedly within a group known in the art.

Therefore, examiner takes Official Notice that it is old and well known and would have

been obvious to one of ordinary skill in the art that data could be from any types of

indicators as are known to be part of a group in the art as listed in the claim.

Regarding claims 41 and 49, Davis discloses wherein the data are obtained a

plurality of systems selected from the group consisting of advanced financial systems,

basic financial systems and alliance management systems (column 9, lines 59-67;

column 10, lines 38-53; column 28, lines 31-39; column 44, lines 27-30; column 45,

lines 1-50; column 46, lines 27-34; column 49, lines 28-37).

Davis does not disclose data are selected from the exhaustive list as disclosed in

the claim limitation. However, Davis discloses the above mentioned specific enterprise

systems, as well as disclosing the receiving of data from a plurality of sources and

systems over the Internet. Further, it is noted that the claim is set forth as a Markush

claim and as such each of the items within the set are admittedly within a group known

in the art. Therefore, examiner takes Official Notice that it is old and well known to one

of ordinary skill in the art and would have been obvious to one of ordinary skill in the art

that data could be from any types of organizations as are known to be part of a group in

the art as listed in the claim.

Regarding claim 140, Davis discloses wherein the plurality of organization related

systems are database management systems for systems selected from the group

consisting of advanced financial systems, basic financial systems and alliance

management systems (column 9, lines 59-67; column 10, lines 38-53; column 28, lines

31-39; column 44, lines 27-30; column 45, lines 1-50; column 46, lines 27-34; column

49, lines 28-37).

Davis does not disclose where systems are selected from the exhaustive list as

disclosed in the claim limitation. However, Davis discloses the above mentioned

specific enterprise systems, as well as disclosing the receiving of data from a plurality of

sources and systems over the Internet. Further, it is noted that the claim is set forth as
a Markush claim and as such each of the items within the set are admittedly within a
group known in the art. Therefore, examiner takes Official Notice that it is old and well
known to one of ordinary skill in the art and would have been obvious to one of ordinary
skill in the art that enterprises could be from any types of organizations as are known to
be part of a group in the art as listed in the claim.

        Regarding claim 146, Davis discloses wherein the plurality of systems are
selected from the group consisting of advanced financial systems, basic financial
systems and alliance management systems (column 9, lines 59-67; column 10, lines 38-
53; column 28, lines 31-39; column 44, lines 27-30; column 45, lines 1-50; column 46,
lines 27-34; column 49, lines 28-37).

        Davis does not disclose where enterprise related systems are selected from the
exhaustive list as disclosed in the claim limitation. However, Davis discloses the above
mentioned specific enterprise systems, as well as disclosing the receiving of data from a
plurality of sources and systems over the Internet. Further, it is noted that the claim is
set forth as a Markush claim and as such each of the items within the set are admittedly
within a group known in the art. Therefore, examiner takes Official Notice that it is old
and well known to one of ordinary skill in the art and would have been obvious to one of
ordinary skill in the art that enterprises could be from any types of organizations as are
known to be part of a group in the art as listed in the claim.

Regarding claim 150, Davis discloses a data preparation system, comprising:

A computer with a processor having circuitry to execute instructions (Figure 2; column 13, line 61 - column 14, line 67);

A storage device available to said processor with sequences of instructions stored therein (Figure 2; column 13, line 61 – column 14, line 67), which when executed cause the processor to:

Use a metadata mapping (column 4, lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column 33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To integrate and convert a plurality of data from a plurality of enterprise related systems (column 8, lines 29-34; column 10, lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28, lines 31-34; column 38, lines 50-53)

In accordance with an xml and a metadata standard common schema (column 4, lines 17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37, lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To transform said data into an integrated database and output said [database –

data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13, lines 18-40;

column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67; column 49,

lines 20-28)

Where the metadata mapping is stored in a metadata mapping table (column 10,

lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67;

column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines

51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45), and

Where a plurality of enterprise related systems are selected from the group

consisting of advanced financial systems, basic financial systems and alliance

management systems (column 9, lines 59-67; column 10, lines 38-53; column 28, lines

31-39; column 44, lines 27-30; column 45, lines 1-50; column 46, lines 27-34; column

49, lines 28-37).

Davis does not disclose where enterprise related systems are selected from the

exhaustive list as disclosed in the claim limitation. However, Davis discloses the above

mentioned specific enterprise systems, as well as disclosing the receiving of data from a

plurality of sources and systems over the Internet. Further, it is noted that the claim is

set forth as a Markush claim and as such each of the items within the set are admittedly

within a group known in the art. Therefore, examiner takes Official Notice that it is old

and well known to one of ordinary skill in the art and would have been obvious to one of

ordinary skill in the art that enterprises could be from any types of organizations as are

known to be part of a group in the art as listed in the claim.

Regarding claims 151, Davis discloses wherein at least some of the data are pre-specified for integration (column 10, lines 25-30; column 12, lines 26-56; column 15, lines 60-67; column 21, lines 46-59).

Regarding claim 154, Davis discloses wherein at least a portion of the data are obtained from an Internet or an external database (column 8, lines 24-34; column 11, lines 24-27; column 12, lines 26-31).

Claims 144, 147, 155-157, 159, 161 and 163 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, and further in view of US Patent 6,549,922 B1 to Srivastava et al. (further referred to as Srivastava).

Regarding claim 155, Davis discloses a program storage device readable by a machine, tangible embodying a program of instructions executable by the machine to perform the steps in data processing, comprising:

Using metadata mapping (column 4, lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column 33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To integrate a plurality of data representative of an enterprise from a plurality of enterprise related systems (column 8, lines 29-34; column 10, lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28, lines 31-34; column 38, lines 50-53)

In accordance with an xml metadata standard and a common schema (column 4, lines 17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37, lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

to transform said data into an integrated database that stores data using one or more schema defined categories in accordance with said schema and output said [database – data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67; column 49, lines 20-28)

Where the metadata mapping is stored in a metadata mapping table (column 10, lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67; column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines 51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

Davis does not disclose where a metadata and conversion rules window is used

to establish a metadata mapping table. However, Srivastava discloses where a

metadata and conversion rules window is used to establish a metadata mapping table

(Figure 2; column 3, lines 27-62; column 5, lines 14-18; column 6, lines 15-18; column

7, lines 27-31). It would be obvious to one of ordinary skill in the art at the time of the

invention to modify the use of metadata mapping tables as disclosed by Davis to

provide a window for establishing the tables as disclose by Srivastava. The motivation

is that GUIs use windows for providing a user interface for such functions as defining a

metadata table and it would be obvious to use a commonly known technique for

establishing tables, namely the providing of a window, as disclosed by Srivastava.

Regarding claim 159, Davis discloses a computer implemented data method,

comprising:

Using a computer to complete the steps of using metadata mapping (column 4,

lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15,

lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19,

lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column

33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To integrate a plurality of data representative of an enterprise that physically

exists from a plurality of enterprise related systems (column 8, lines 29-34; column 10,

lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28,

lines 31-34; column 38, lines 50-53)

In accordance with xml and a common schema (column 8, lines 40-46 and lines 52-57; column 10, lines 31-33 and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-37; column 15, lines 60-67; column 18, lines 48-54; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50; column 30, lines 51-60; column 33, lines 15-47; column 37, lines 5-8; column 38, lines 48-56)

to support organization processing (column 8, lines 29-34 and lines 40-51; column 9, lines 1-6; column 10, lines 19-30; column 12, lines 15-17; column 13, lines 19-23; column 25, lines 53-60; column 26, lines 47-67; column 28, lines 31-40; column 36, lines 59-67; column 37, lines 5-12; column 38, lines 48-65)

to transform said data into an integrated database that stores data in accordance with said schema and output said [database – data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67; column 49, lines 20-28);

Where the metadata mapping is stored in a metadata mapping table (column 10, lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67; column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines 51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

Davis does not disclose where a metadata and conversion rules window is used to establish a metadata mapping table. However, Srivastava discloses where a metadata and conversion rules window is used to establish a metadata mapping table (Figure 2; column 3, lines 27-62; column 5, lines 14-18; column 6, lines 15-18; column

7, lines 27-31). It would be obvious to one of ordinary skill in the art at the time of the

invention to modify the use of metadata mapping tables as disclosed by Davis to

provide a window for establishing the tables as disclose by Srivastava. The motivation

is that GUIs use windows for providing a user interface for such functions as defining a

metadata table and it would be obvious to use a commonly known technique for

establishing tables, namely the providing of a window, as disclosed by Srivastava.

         Regarding claims 144, 147 and 161, Davis discloses wherein a set of integration

and conversion rules are saved in the metadata mapping table (column 10, lines 19-53;

column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67; column 18,

lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines 51-58;

column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

         Davis does not disclose wherein the set of integration and conversion rules are

established using a metadata and conversion rules window However, Srivastava

discloses where the set of integration and conversion rules are established using a

metadata and conversion rules window (Figure 2; column 3, lines 27-62; column 5, lines

14-18; column 6, lines 15-18; column 7, lines 27-31). It would be obvious to one of

ordinary skill in the art at the time of the invention to modify the use of metadata

mapping tables as disclosed by Davis to provide a window for establishing the tables as

disclose by Srivastava. The motivation is that GUIs use windows for providing a user

interface for such functions as defining a metadata table and it would be obvious to use

a commonly known technique for establishing tables, namely the providing of a window, as disclosed by Srivastava.

Regarding claim 156, Davis discloses wherein at least some of the data are pre-specified for integration and conversion (column 10, lines 25-30; column 12, lines 26-56; column 15, lines 60-67; column 21, lines 46-59).

Regarding claim 157, Davis discloses wherein the plurality of integrated enterprise data are stored in an application database in accordance with a common schema (column 8, lines 40-46 and lines 52-57; column 10, lines 31-33 and lines 52-55; column 11, lines 15-67; column 12, lines 26-56; column 13, lines 34-37; column 15, lines 60-67; column 18, lines 48-54; column 26, lines 65-67; column 27, lines 1-6; column 28, lines 31-34; column 30, lines 42-50; column 30, lines 51-60; column 33, lines 15-47; column 37, lines 5-8; column 38, lines 48-56).

Regarding claim 163, Davis discloses wherein the data method further comprises storing a plurality of converted data in one or more tables to support organization processing (column 11, lines 15-67; column 12, lines 26-56; column 27, lines 1-6).

Claims 158, 160 and 164-167 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, in view of US Patent 6,549,922 B1 to Srivastava et al. (further referred to as Srivastava), and further in view of Official Notice.

Regarding claims 158 and 160, Davis discloses wherein the plurality of systems are selected from the group consisting of advanced financial systems, basic financial systems and alliance management systems (column 9, lines 59-67; column 10, lines 38-53; column 28, lines 31-39; column 44, lines 27-30; column 45, lines 1-50; column 46, lines 27-34; column 49, lines 28-37).

Neither Davis nor Srivastava disclose where enterprise related systems are selected from the exhaustive list as disclosed in the claim limitation. However, Davis discloses the above mentioned specific enterprise systems, as well as disclosing the receiving of data from a plurality of sources and systems over the Internet. Further, it is noted that the claim is set forth as a Markush claim and as such each of the items within the set are admittedly within a group known in the art. Therefore, examiner takes Official Notice that it is old and well known to one of ordinary skill in the art and would have been obvious to one of ordinary skill in the art that enterprises could be from any types of organizations as are known to be part of a group in the art as listed in the claim.

Regarding claim 164, Davis discloses a data preparation system, comprising:

A computer with a processor having circuitry to execute instructions (Figure 2; column 13, line 61 - column 14, line 67);

A storage device available to said processor with sequences of instructions stored therein (Figure 2; column 13, line 61 – column 14, line 67), which when executed cause the processor to:

Use a metadata mapping (column 4, lines 17-32; column 10, lines 19-30; column 13, lines 37-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-64; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 31, lines 5-7; column 33, lines 44-47; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

To integrate and convert a plurality of data representative of an enterprise that physically exists from a plurality of enterprise related systems (column 8, lines 29-34; column 10, lines 25-26; column 11, lines 24-27; column 12, lines 26-29 and lines 53-56; column 28, lines 31-34; column 38, lines 50-53)

In accordance with xml metadata standard and a common schema (column 4, lines 17-32; column 8, lines 40-46 and lines 52-57; column 10, lines 19-30, lines 31-33 and lines 52-55; column 11, lines 24-66; column 12, lines 45-56; column 13, lines 34-40 and lines 45-50; column 15, lines 56-67; column 17, line 66 – column 18, line 9; column 18, lines 48-54; column 19, lines 3-13; column 20, lines 32-38; column 21, lines 56-59; column 26, lines 65-67; column 27, lines 1-5; column 28, lines 31-34; column 30, lines 42-50; column 30, lines 51-60; column 31, lines 5-7; column 33, lines 15-47; column 37, lines 5-8; column 38, lines 48-65; column 49, lines 19-50; column 50, lines 38-49)

to transform said data into an integrated database and output said [database – data per 112] (column 11, lines 15-64; column 12, lines 45-56; column 13, lines 18-40; column 15, lines 23-42; column 16, lines 11-15; column 26, lines 47-67; column 49, lines 20-28)

Where metadata mapping is stored in a metadata mapping table (column 10, lines 19-53; column 11, lines 24-64; column 12, lines 45-56; column 15, lines 60-67; column 18, lines 2-14; column 20, lines 32-38; column 21, lines 26-61; column 30, lines 51-58; column 33, lines 28-47; column 49, lines 19-47; column 50, lines 38-45), and

Where the plurality of enterprise related systems are selected from the group consisting of advanced financial systems, basic financial systems and alliance management systems.

Davis does not disclose where a metadata and conversion rules window is used to establish a metadata mapping table. However, Srivastava discloses where a metadata and conversion rules window is used to establish a metadata mapping table (Figure 2; column 3, lines 27-62; column 5, lines 14-18; column 6, lines 15-18; column 7, lines 27-31). It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of metadata mapping tables as disclosed by Davis to provide a window for establishing the tables as disclose by Srivastava. The motivation is that GUIs use windows for providing a user interface for such functions as defining a metadata table and it would be obvious to use a commonly known technique for establishing tables, namely the providing of a window, as disclosed by Srivastava.

Neither Davis nor Srivastava disclose where enterprise related systems are selected from the exhaustive list as disclosed in the claim limitation. However, the combination of Davis and Srivastava discloses the above mentioned specific enterprise systems, as well as disclosing the receiving of data from a plurality of sources and systems over the Internet. Further, it is noted that the claim is set forth as a Markush

claim and as such each of the items within the set are admittedly within a group known

in the art. Therefore, examiner takes Official Notice that it is old and well known to one

of ordinary skill in the art and would have been obvious to one of ordinary skill in the art

that enterprises could be from any types of organizations as are known to be part of a

group in the art as listed in the claim.

Regarding claims 165, Davis discloses wherein at least some of the data are pre-

specified for integration and conversion (column 10, lines 25-30; column 12, lines 26-56;

column 15, lines 60-67; column 21, lines 46-59).

Regarding claim 166, Davis discloses where the common schema identifies data

designations selected from the group consisting of components of value, sub

components of value, elements of value and sub elements of value (column 8, lines 30-

51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines 46-49; column 20,

lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines 34-67; column 29,

lines 31-56; column 30, lines 51-58; column 44, lines 22-34; column 45, lines 40-50;

column 49, lines 19-43).

Neither Davis nor Srivastava disclose identifying known value drivers and non-

relevant attributes. However, Bielinski discloses disclose identifying known value

drivers and non-relevant attributes (page 1, paragraph 2; page 2, paragraphs 1 and 8;

page 3, paragraphs 102; paragraph 4, paragraph 1; page 5, paragraphs 3-4). It would

be obvious to one of ordinary skill in the art at the time of the invention to modify the use

of identifying data schema such as components of value and sub components of value

as disclosed by the combination of Davis and Srivastava to adapt the identifying of data

schema such as value drivers as disclosed by Bielinski. The motivation would be that

all of the data identifiers described by Davis and Bielinski are useful for making

evaluations of companies and when financial data is received from multiple external

sources as disclosed by Davis, it would be obvious to use the data in order to provide

meaningful statistics and data for reviewers and decision makers, where the received

data would need to be identified for storage and manipulation.

     Regarding claim 167, Davis discloses wherein at least a portion of the data are

obtained from an Internet or an external database (column 8, lines 24-34; column 11,

lines 24-27; column 12, lines 26-31).

     Claims 64, 69 and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Davis, Bielinski, Ray and Bauer as applied to claim 62 above, and further in view of

Official Notice.

     Regarding claim 64, Davis discloses wherein a plurality of systems are selected

from the group consisting of advanced financial systems, basic financial systems and

alliance management systems (column 9, lines 59-67; column 10, lines 38-53; column

28, lines 31-39; column 44, lines 27-30; column 45, lines 1-50; column 46, lines 27-34;

column 49, lines 28-37).

Neither Davis, Bielinski, Ray nor Bauer disclose where enterprise related

systems are selected from the exhaustive list as disclosed in the claim limitation.

However, Davis discloses the above mentioned specific enterprise systems, as well as

disclosing the receiving of data from a plurality of sources and systems over the

Internet. Further, it is noted that the claim is set forth as a Markush claim and as such

each of the items within the set are admittedly within a group known in the art.

Therefore, examiner takes Official Notice that it is old and well known to one of ordinary

skill in the art and would have been obvious to one of ordinary skill in the art that

enterprises could be from any types of organizations as are known to be part of a group

in the art as listed in the claim.

Regarding claim 69, Davis discloses wherein the data dictionary defines one or

more standard data attributes selected from the group consisting of components of

value, currencies, elements of value, units of measure and time periods (column 8, lines

30-51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines 46-49; column

20, lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines 34-67).

Neither Davis, Bielinski, Ray nor Bauer disclose where the data dictionary

defines data attributes for account numbers. However, Examiner takes Official Notice

that it is old and well known that account numbers are one way of identifying an account

and that accounts and account numbers are used in database management and as a

way of storing and organizing data and it would be obvious therefore to include account

numbers in the data dictionary. Further, it is noted that the claim is set forth as a

Markush claim and as such each of the items within the set are admittedly within a

group known in the art. Therefore, examiner takes Official Notice that it is old and well

known and would have been obvious to one of ordinary skill in the art that data could be

from any types of indicators as are known to be part of a group in the art as listed in the

claim.

Regarding claim 91, Davis does not disclose wherein identified changes are

selected from the group consisting of changes as listed in the claim language.

However, Bielinski discloses where identified changes include changes to value drivers

such as organization equity and production equipment value drivers, employee value

drivers (page 2, paragraphs 1, 6, 8; page 5, paragraph 3). Given the combination of

Davis and Bielinksi as given in claim 62, it would be obvious to use the above changes

as each of the changes represents among those things an organization change vary

and change in order to see modified financial performance. The motivation in adapting

these changes would be that they represent among the common factors that companies

can review and consider for modification when a financial performance change is

desired or required.

Neither Davis, Bielinksi, Ray nor Bauer disclose the exhaustive list as disclosed

in the claim language. However, it is noted that the claim is set forth as a Markush

claim and as such each of the items within the set are admittedly within a group known

in the art. Therefore, examiner takes Official Notice that it is old and well known and

would have been obvious to one of ordinary skill in the art that changes could be from

any types of changes as are known to be part of a group in the art as listed in the claim.

Claim 148 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis

as applied to claim 145 above, and further in view of Bielinski.

Regarding claim 148, Davis discloses where the common schema identifies data

designations selected from the group consisting of components of value, sub

components of value, elements of value and sub elements of value (column 8, lines 30-

51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines 46-49; column 20,

lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines 34-67; column 29,

lines 31-56; column 30, lines 51-58; column 44, lines 22-34; column 45, lines 40-50;

column 49, lines 19-43).

Davis does not disclose identifying known value drivers and non-relevant

attributes. However, Bielinski discloses disclose identifying known value drivers and

non-relevant attributes (page 1, paragraph 2; page 2, paragraphs 1 and 8; page 3,

paragraphs 102; paragraph 4, paragraph 1; page 5, paragraphs 3-4). It would be

obvious to one of ordinary skill in the art at the time of the invention to modify the use of

identifying data schema such as components of value and sub components of value as

disclosed by Davis to adapt the identifying of data schema such as value drivers as

disclosed by Bielinski. The motivation would be that all of the data identifiers described

by Davis and Bielinski are useful for making evaluations of companies and when

financial data is received from multiple external sources as disclosed by Davis, it would

be obvious to use the data in order to provide meaningful statistics and data for

reviewers and decision makers, where the received data would need to be identified for

storage and manipulation.

Claim 152 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis

and Official Notice as applied to claim 150 above, and further in view of Srivastava.

Regarding claim 152, Davis discloses wherein a set of integration and conversion

rules are saved in the metadata mapping table (column 10, lines 19-53; column 11,

lines 24-64; column 12, lines 45-56; column 15, lines 60-67; column 18, lines 2-14;

column 20, lines 32-38; column 21, lines 26-61; column 30, lines 51-58; column 33,

lines 28-47; column 49, lines 19-47; column 50, lines 38-45).

Davis does not disclose wherein the set of integration and conversion rules are

established using a metadata and conversion rules window However, Srivastava

discloses where the set of integration and conversion rules are established using a

metadata and conversion rules window (Figure 2; column 3, lines 27-62; column 5, lines

14-18; column 6, lines 15-18; column 7, lines 27-31). It would be obvious to one of

ordinary skill in the art at the time of the invention to modify the use of metadata

mapping tables as disclosed by Davis to provide a window for establishing the tables as

disclose by Srivastava. The motivation is that GUIs use windows for providing a user

interface for such functions as defining a metadata table and it would be obvious to use

a commonly known technique for establishing tables, namely the providing of a window,

as disclosed by Srivastava.

Claim 153 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis

and Official Notice as applied to claim 150 above, and further in view of Bielinski.

Regarding claim 153, Davis discloses where the common schema identifies data

designations selected from the group consisting of components of value, sub

components of value, elements of value and sub elements of value (column 8, lines 30-

51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines 46-49; column 20,

lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines 34-67; column 29,

lines 31-56; column 30, lines 51-58; column 44, lines 22-34; column 45, lines 40-50;

column 49, lines 19-43).

Davis does not disclose identifying known value drivers and non-relevant

attributes. However, Bielinski discloses disclose identifying known value drivers and

non-relevant attributes (page 1, paragraph 2; page 2, paragraphs 1 and 8; page 3,

paragraphs 102; paragraph 4, paragraph 1; page 5, paragraphs 3-4). It would be

obvious to one of ordinary skill in the art at the time of the invention to modify the use of

identifying data schema such as components of value and sub components of value as

disclosed by Davis to adapt the identifying of data schema such as value drivers as

disclosed by Bielinski. The motivation would be that all of the data identifiers described

by Davis and Bielinski are useful for making evaluations of companies and when

financial data is received from multiple external sources as disclosed by Davis, it would

be obvious to use the data in order to provide meaningful statistics and data for

reviewers and decision makers, where the received data would need to be identified for

storage and manipulation.

Claim 162 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis

and Srivastava as applied to claim 159 above, and further in view of Bielinski.

Regarding claim 162, Davis discloses where the common schema identifies data

designations selected from the group consisting of components of value, sub

components of value, elements of value and sub elements of value (column 8, lines 30-

51; column 10, lines 31-53; column 11, lines 24-67; column 13, lines 46-49; column 20,

lines 32-65; column 25, lines 30-52; column 26, lines 15-25 and lines 34-67; column 29,

lines 31-56; column 30, lines 51-58; column 44, lines 22-34; column 45, lines 40-50;

column 49, lines 19-43).

Neither Davis nor Srivastava disclose identifying known value drivers and non-

relevant attributes. However, Bielinski discloses disclose identifying known value

drivers and non-relevant attributes (page 1, paragraph 2; page 2, paragraphs 1 and 8;

page 3, paragraphs 102; paragraph 4, paragraph 1; page 5, paragraphs 3-4). It would

be obvious to one of ordinary skill in the art at the time of the invention to modify the use

of identifying data schema such as components of value and sub components of value

as disclosed by the combination of Davis and Srivastava to adapt the identifying of data

schema such as value drivers as disclosed by Bielinski. The motivation would be that

all of the data identifiers described by Davis and Bielinski are useful for making

evaluations of companies and when financial data is received from multiple external

sources as disclosed by Davis, it would be obvious to use the data in order to provide

meaningful statistics and data for reviewers and decision makers, where the received

data would need to be identified for storage and manipulation.

Response to Arguments

Applicant speaks to a number of supposed errors in the rejection of the claims in

the present application. Examiner respectfully disagrees with the arguments and finds

that the prior art references as applied in the Final Office Action are proper, pertinent,

and relevant in disclosing the claims as submitted. The 101 rejection has been

overcome with the present amendments. However, the other arguments are

unpersuasive and therefore the rejections and arguments as presented in the

Examiner's Answer stand and are cited below.

Appellant argues that the prior art references teach away from the claimed

invention. Examiner respectfully disagrees and does not find any instances where the

prior art cited teaches away from the claims as presented in the present application.

Neither Davis, Bielinski, Ray, Bauer, nor Srivastava in anyway discredit or criticize the

claims as presented in this application. It is stated that "the prior art's mere disclosure

of more than one alternative does not constitute a teaching away from any of these

alternatives because such disclosure does not criticize, discredit, or otherwise

discourage the solution claimed…." In re Fulton, 391 F.3d 1195, 1201, 73 USPQ2d

1141, 1146 (Fed. Cir. 2004). >See also MPEP §2123.

It is further argued that the use of Bielinski, Ray and Baur are inappropriate

references because the "are not reasonably pertinent to the claimed invention as they

teach that there is no market sentiment value". Examiner respectfully disagrees.

Neither Bielinski, Ray nor Bauer speak against market sentiment. As noted above,

none of the references teach away from market sentiment. Examiner contends that

each of the references used represent analogous art with respect to the claims.

Bielinksi is drawn to determining the premium drivers of post-deal value, using computer

models to estimate the value of a company where multiple variables can be

manipulated using models for optimization. Baur discloses the inclusion of sentiment in

market pricing. And Ray teaches automatic trading of equities. Therefore, in reviewing

the claims in the present application, each of these three references are pertinent and

relevant. Again, the references do not teach that there is no market sentiment value,

but rather simply do not disclose a market sentiment value. This distinction is critical.

Applicant has argued that the cited references fail to teach or suggest one or

more limitations of the claims. However, examiner contends that each limitation has

been addressed by a proper reference and through proper combinations. Every

limitation has been addressed in the Office Action, with each claim limitation mapped,

and every word of the claim taken into consideration. Due to the lengthy rejection

presented above, the claims and their respective mapping will not be reiterated here.

However, examiner contends that a thorough review and mapping of the claims has been conducted in accordance with procedures of claim interpretation and analysis.

Appellant argues that the combination of references would not provide for functionality as described. However, examiner notes that the arguments presented are outside the scope of the claims and that as presented, the references are proper combinations yielding predictable results. The elements for which the references were relied upon, based on the analogous art as described above, would properly be combined with functionality as disclosed. For example, Davis provides for the transforming of data representative of an organization from a plurality of systems into an integrated database accordance with an xml metadata standard and a common schema and using at least a portion of the data to create and output one or more tools for organization management using various models. Bielinski is then relied upon to disclose other model types as listed in the claims. Davis discloses certain of the models and Bielinski discloses other of the models. The use of various models is known for evaluation techniques, as disclosed by Davis and Bielinski. The structures by which the models are carried out are disclosed by Davis, and Bielinski provides for additional modeling techniques are recited in the claims. Examiner therefore contends that functionality would remain by using the models across the systems. Likewise, Ray is used to disclose the automated trading of organization equity. A full analysis of why Davis, Bielinksi and Ray would be obvious is provided above, with motivations for combination which would provide for predictable results.

Appellant states that the "claimed invention comprises a surprising result –

market sentiment (as defined) is relevant to securities trading. This is surprising

because the teachings of all the references provided by the Examiner, namely that

markets are always efficient and that security prices are always accurate, have

surprisingly been found to be incorrect". Examiner is unsure as to the nature of this

argument. None of the references nor any statements made by the examiner speak to

this concept of markets always being efficient and security prices always being

accurate. Ray specifically discloses the consideration of market sentiment on pricing,

and the other references do not disclose that the use of sentiment is a poor choice.

Appellant argues whether the examiner is skilled in the art stating "This apparent

misrepresentation may be a product of the fact that the Examiner does not appear to

have the requisite level of skill in the relevant arts…" and continues with "It is unlikely

that anyone who understood the scientific and engineering principles applicable to the

pertinent art would ever suggest Baur, Bielinski, Davis or Ray as a reference in support

of an obviousness rejection for the claimed inventions…". Additional arguments are

made as to whether the author of the Office Actions and persons signing the Office

Actions are skilled and knowledgeable in the art. Examiner is unable to speak to this

argument, but rather is focusing on addressing the claims and the rejections thereof as

part of the Appeal Brief process. Hiring and training practices are outside the scope of

examiner's expertise in addressing the claim limitations and arguments related thereto.

Likewise, Appellant has argued that examiner has failed to explain what would

motivate someone to make the combinations as set forth above. However, examiner

contends, again, the proper combinations and motivational statements have been provided. Evidence has been provided for the claim rejections, as provided above in the detailed mapping of each claim limitation, as well as with the motivation statements. Examiner contends that proper APA standards have been followed in all regards.

With regards to prior art arguments, examiner contends that the claims have been properly analyzed and rejected based on the prior art of record. Examiner contends that the level of detail in the claims has been properly considered, that the prior art has been properly mapped to the claim limitations, following all appropriate standards and procedures.

Several points within Davis are further argued. As detailed in the Office Action above, examiner finds that Davis teaches data integration. Davis teaches that data is received from a plurality of external sources, where it is then formatted in order to be integrated into a database and used for processing and generating useful outputs for users. The receiving of data from multiple sources, in multiple formats, and storing the data in a common format in an integrated database is both taught by Davis and old and well known to one of ordinary skill in the art. Likewise, examiner finds that Davis teaches metadata mapping. Davis discloses that as data is received from multiple sources, it is stored in a database and that the metadata mapping provides a structure by which the data is stored and then used for processing and generating useful results for users where Davis further discloses the outputting of data in various forms and structures.

Additionally, Appellant has argued the relevance of several other allowances based on the current 101 guidelines. Examiner notes that only the current guidelines are applied when examining a set of claims and claims that were previously issued may have been subject to a different set of guidelines. Only current guidelines are implemented when performing claim analysis.

It is also suggested by Appellant that different standards for requirements are applied to the prosecution of claims for large entities and small entities. Examiner notes that only one standard is used for all applications regardless of the size of the entity making the submission, be it for 101, 102, 103 or other requirements. A single set of standards exist.

With regards to the arguments set forth regarding 112 first paragraph, examiner contends that the 112 first paragraph rejections are proper. Examiner has noted the phrases "an integrated database", "output said database", "a physical object", "a physical object or substance", "schema defined categories" and "schema is statistically valid" as the phrases which are unsupported in the specification or initial disclosure. While it is not required that the exact and specific words be used in the specification as support for the language amended into a claim, the language is required to be supported by the specification. Examiner contends that the phrases above were amended into the claims, but that there is not support for the phrases. Support is founds in neither the use of specific and exact words, nor within provided or determined context from which the material can be obtained. In order to amend claims, the amendments must be supported by the initial disclosure be it in the drawings,

specification or claims. However, upon presenting the amendments being discussed, there was no indication as to where support for these elements could be found, and examiner was unable to find support for these elements and therefore the 112 rejections were made. Examiner contends that the 112 rejections for new matter are proper and maintains the rejections.

The 112 second paragraph rejections are also argued. The 112 rejections as set forth above detail the lack of clarity found in the language and the rejections stand. Examiner contends that the meets and bounds of the claims are unclear based on the reasoning and rationale as detailed above and that the claims are unclear as presented. In each instance, the examiner stated what would be assumed for purposes of examination. In each case, the Appeal Brief notes that the examiner was incorrect. Examiner finds that supports the examiner's position that the claims are unclear as a reasonable interpretation of the claim limitation meets and bounds could not be inferred from the claim limitations as presented. Examiner finds that the 112 second paragraph rejections are proper and appropriate.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the

organization where the application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Liversedge/

Primary Examiner, Art Unit 3684